G. R. S. IX-5]

Previous references

; 2 6 2 - 17 & 165 + 7

1920: 21

(G. A.)

File No. 91 - 20

Serial Nos. 1 + 2

Later references.

Preserved

Reserve
25.10.65

GENERAL AND REVENUE SECRETARIAT

Serial Nos. 1 + 2

Part B for January 1921

SUBJECT.

Levy of premium on all decree amounts remitted from one Treasury to another through remittance transfer receipts.

To The Comptr.
" Registrar Chief Court
" other Hds. of Depts.

No 74: 4706 - 53 - S/22-1-21

Approves the proposal recd: to u/r

WD 788—GPB—5,000—7-11-19

G. R. S. III—1] 1920-21

GENERAL AND REVENUE SECRETARIAT.

(GF)

NOTES.

File No. 91-20

FILE HEADING.

Levy of premium on all decree amounts remitted from one treasury to another through remittance transfer receipts

From

The Comptr. Mysore Cash

No. Bills 686-7 Dated 23-10-20 Received 26-10-20

Diary No. 2163	Enclos.	Spare Copies.	Serial No.

BRIEF ABSTRACT OF LETTER.

NOTES AND ORDERS.

P.T.O.

NOTES—First Sheet.

G. R. S. III-21

General and Revenue Secretariat.

Gy. F File No. 9/[illegible]20 of 1920-21

Serial No. /

From:- The comptroller
Bills 686-7 dy 23.10.20

Requests the approval
of govt to the Remittance transfer receipts
being issued at par in the cases mentioned by him.
Subd for orders. with previous reference

SECRETARIAT
OCT 1920

SR
30.10. may be referred to the
Fin Administrative deptt. for opinion

The decree holder pays the usual
Crl- of execution of the decree until the executing
Crt-, and if that Crt- secures the
service of another Crt- and the Govt.
Try get another a place other than the
Hd qrs of the executing Crt- for recovery of
the decretal amount, it is fair that
the cost of remittance of the amount
secured should be paid by the executing
Crt-, the same being charged in addition by
the decree holder to Crt- of the execution,
this charge will ultimately fall on the
judgment-debtor, I think.

A/ The opinion of the administrative dept-
may be obtained in regard to the criticism of
the executing Crt- against the levy of premium.
in order.

1646
1/11/20. Jersey

A. yes I will.
20-11-20

B
3.11.1920

Ch Secy

820

NOTE—Contn. sheet.

2.163

~~19~~ 10905

G. R. S. III-21

General and Revenue Secretariat. | G.7 File No. 91-20 of 19

DIARY No. 10905 | Serial No.

Subd for III

Mere seems to be no justification for the levy of a premium. The contention of the Chief Court appears to be sound ~~[illegible]~~ & action may perhaps be taken to issue necessary instructions to the Treasuries to issue C.T. Receipts at par as before.

Subd for orders

D.M. 8/12

III Member

9/12 3490 9.12.20

I agree with the Govt. that Courts & in duty bound to enforce decrees available to decree holders. The latter cannot receive his money from his Treasury in which it may be deposited. Hence the Govt's duty is not in his performance & duty which his executing Court owes the decree holder.

Lthw 22/12

Jm. Leet

Lee 23/12

D.M. 23/12

Subd with draft SR 4.1.21. Jhang

Jhang 7.1.1921

SR Draft 23/12 23/12 8/1/21. 4/1 5/1

Note—Contn. sheet.

Jhang 18/1/21 H.S.L.

1163

F. R. S. III-2]

General and Revenue Secretariat. | S.7 File No. 91. 20. of 19

Serial No.

To. The compt.r
The Registrar. chief court
The other heads of depts
Copy to chief Secrt.
H 4706-55 & 22.1.21.

Approves of the compt.r's recommendation re the Remittance Transfer Receipts being issued at par in the cases mentioned by him.

NOTE—Contn. sheet.

D 2163

G7 91-20-1

Please address all future communications to the Comptroller to the Govt. of H. H. the Maharaja of Mysore.
In reply to this Comn. please refer to
No. Bills.386-7. Enc 1

OFFICE OF THE COMPTROLLER TO THE GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE.

Dated, Bangalore, the 23rd October 1920.

Final Suit
21 OCT 1920
12591

FROM

T. Satyaraj Chetty Esq., B.A.,
~~M. N. KRISHNA RAO, ESQ., B.A.,~~
~~Offg.~~ *Comptroller to the Government of His Highness the Maharaja of Mysore*

To

M. N. Krishna Rao Esq., B.A., ~~Esq.~~,
Secretary to the Government of Mysore,
Financial *Department.*

SIR,

Adverting to Government Order No. Fl.2306-55/G.F.62-17-3 dated 7th November 1917 conveying approval to the levy of premium at one anna for every Rs.10/- or a fraction thereof on all decree amounts remitted from one treasury to another through Remittance Transfer Receipts, I have the honor to submit herewith for the information of Government a copy of letter No.356/1917-18 dated 16th June 1920 from the Registrar of the Chief Court stating that for reasons mentioned therein, there is no justification for recovering premium on the issue of Remittance Transfer Receipts for decree amounts and requesting the issue of Remittance Transfer Receipts at par in such cases.

2 It is ascertained that when the creditor pays the cost of execution in the shape of court fee stamps, the court is bound, by the Procedure Code, to recover the decreed amount from the judgment debtor and pay the same to the party at the head-quarters of the court executing the decree and as such, the remittance of these amounts through Remittance Transfer Receipts is bona fide in the

interest

WD.0322—GPB—3,000—14-12-16

C. O. 42-Rec.—17]

....Department

191

FROM

M. N. KRISHNA RAO, ESQ., B.A.,

Offg. Comptroller to the Govt. of

H. H. the Maharaja of Mysore.

To

.....ESQ.,

Secretary to the Govt. of Mysore,

Dept.

Dated

Despatched

Received

No.....

Subject matter.

interest of the Government and not that of the creditor.

3 - Under these circumstances, I request you to be so good as to obtain the approval of Government to the Remittance Transfer Receipts being issued at par in these cases.

I have the honor to be,

Sir,

Your most obedient servant,

R. Srirangarajan

For Comptroller.

22/10

SAM.

Letter No. R.O.C.356/1917-18 dated 16th June 1920 from the Registrar of the Chief Court of Mysore, to the Comptroller, Mysore Government, Bangalore.

Adverting to your letter No.2568/Bills dated the 9th April 1920, requesting the opinion of the Judges of the Chief Court in regard to the procedure that the amin of the collecting court should pay the money at the nearest treasury and get a remittance transfer receipt in favor of the court which has ultimately to disburse the amount, I am directed to state that the Judges see no difficulty in adopting the procedure. I am to state, however, that there is no justification for recovering premium on the issue of remittance transfer receipts for decree amounts for reasons already stated in my letter No.R.O.C.356 of 1917-18 dated the 6th September 1918. The party pays the necessary fees in the shape of court fees provided by law for the execution of the decree and the court is bound to recover the amount from the judgment-debtor and pay the decree-holder. It is only in the interests of Government that the court issuing the warrant utilises the process agency of a Munsiff's Court, instead of having a separate agency of its own and the party cannot be made to pay an additional tax by way of premium for the convenience of the court.

2. I am to request that you will issue necessary instructions to treasuries authorising them to issue remittance transfer receipts at par in respect of decree amounts also. The favor of early action in the matter is requested.

" C O P Y

Superintendent,
Records Section,
Comptroller's Office.

23/10/20

SA.)

23/10

1)
Hind. Vide [illegible]
portion — 2nd
sentences newly added.
may this be inserted?
(Art. 270(3) d
inserted by AIC No
1 ...)

2) Orders are bilingual as to whether this may be treated as "S.O.Q." etc

hs
8/1.

notices...
As the complete
will come in
are ...
8/1

G.R.S. VI–71]

SUBJECT .....

.....

.....

S.O.R

Diary No. of letter replied to.....

Section G7

File No. 91–20

Serial No. 2

General and Revenue Secretariat

(

the *191*

Proceedings of the Government of His Highness the Maharaja of Mysore.

Date of issue 22nd January 1921

Signed by W B Sreenivasaya

Read—

Order no H:2306-55/9.7 62-17-3 dt 7.11.17 conveying approval to the levy of premium at one anna for every Rs 10 or a fraction thereof on all decree amounts remitted from one treasury to another through Remittance Transfer Receipts.

Letter no Bills 686-7 dt 23.10.20 from the Comptr, Mysore govt, forwarding a copy of letter no 356/1917-18 dt 16.6.20 from the Registrar, chief court and ~~requesting that stating~~ that the court is bound, ~~Order Thereon No.~~ by the procedure code, to recover the decreed amount from the judgment debtor and pay the same to the ~~the~~ head-quarters of the court executing the ~~decree~~ and requesting the approval of govt to the Remittance Transfer Receipts

May this be

i Printed ?

ii treated as a standing order ?

iii published in the Gazette, English Part ?

iv translated ?

v placed at the disposal of the press ?

vi published in the Gazette, Kannada Part ?

(8)

being issued at par in such cases. 9.

order thereon. No H 4706-55 & 22 Jan 57/4

Approved.

~~Sanctioned.~~

Necessary amendments to M.A.C will be effected by the Comptr.

18 ~~for~~ H Secy 18/1/21

9.1.1924

To. The Comptr

The Registrar, Chief Court

~~All the~~ Heads of Depts.

W.J. Copy to Chief Accts. (Copyist)

List of enclosures.

Copied by

Examined by

WD 1744—GPB —30,000—17-3-19